

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

July 20 of 2006



RZ 06-16: Noshad Tejani

CASE DESCRIPTION: a request to change the zoning classification from a combination of 'RD-5' Residential District – 5000 and 'C-2' Retail District, to 'C-2' Retail District; and
a request to change the zoning classification from a 'C-2' Retail District to 'RD-5' Residential District – 5000

LOCATION: two tracts of land located at or near the northwest corner of Finfeather Road and Stuart Street in southeastern Bryan, Brazos County, Texas

LEGAL DESCRIPTION: 1.0739 acres and 0.0162 acres of land out of Ferrara's Addition

EXISTING LAND USE: convenience store and washateria; mobile home park

APPLICANT(S): Noshad Tejani

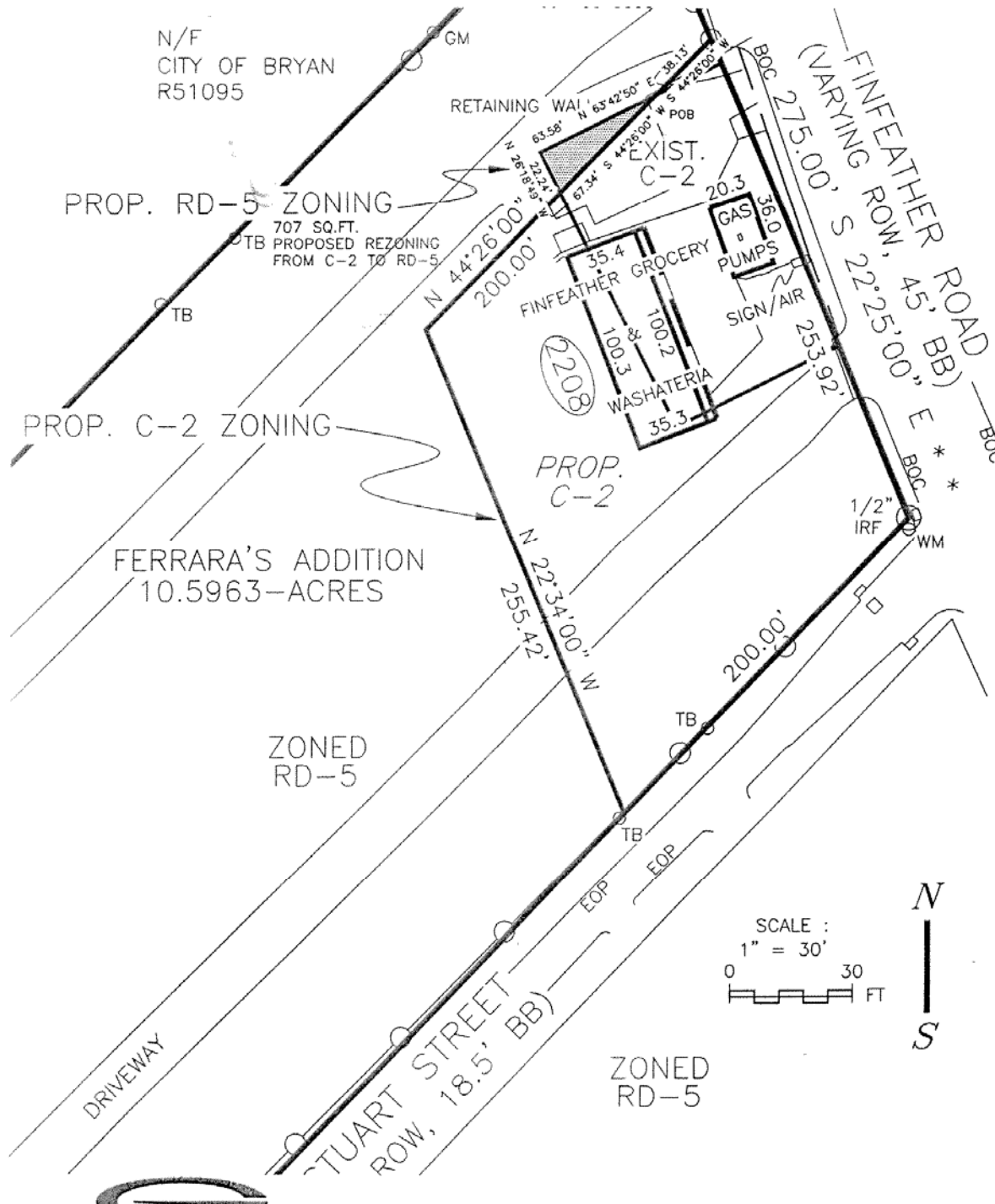
STAFF CONTACT: Martin Zimmermann, Project Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** both requested zone changes.



GALINDO ENGINEERS AND PLANNERS, INC.

3833 South Texas Ave., Suite 213 Bryan, Texas 77802 (979) 846-8868



BACKGROUND:

In October 1997, Bryan's City Council voted to rezone 0.3233 acres of land on property at 2208 Finfeather Road to 'R' Retail zoning district. That Retail District was intended to embrace the location of an exiting convenience store ("Finfeather Grocery") and washateria. Close examination of the metes-and-bounds description revealed that the boundary of this Retail District (now known as 'C-2' District) does not embrace the entire location of the still existing convenience store and washateria. Please see the accompanying maps for clarification.

The owners of this convenience store and washateria also own the adjacent mobile home park. They desire to resubdivide their land into two tracts: an 8.7-acre tract which is currently occupied by the mobile home park and a 1.0739-acre tract (identified as Tract A on the accompanying location map), which is currently occupied by the convenience store and washateria.

In order to be able to use the entire 1.0739-acre tract for retail sales and service uses and in an effort to correct zoning district boundaries on their land, they are requesting to rezone this tract to 'C-2' Retail District. In addition, they are requesting to rezone a triangular-shaped 0.0162-acre or 705-square foot tract (identified as Tract B on the accompanying location map) to 'RD-5' Residential District – 5000. That tract is proposed to be part of the 8.7-acre mobile home park lot.

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

Staff believes the proposed 'C-2' Retail District of approximately one acre in size at this location is appropriate in this particular environment. This property is located in a neighborhood that is only sparsely developed with retail establishments. Given the lack of such establishments in this part of Bryan, area residents have to travel longer distances for their commercial needs. The proposed retail zoning district will provide space for small-scale retail commercial uses beneficial to, and within walking distance from, the adjoining residential neighborhood. A convenience store and washateria already occupy most of this tract.

Staff also believes that rezoning the approximately 705-square foot tract from 'C-2' District to 'RD-5' District is appropriate in this particular environment. The remainder of a proposed 8.7 acre mobile home park tract, of which this triangular tract is planned to be a part of, is already zoned 'RD-5' District. 'RD-5' zoning on this tract should have no adverse effects on the surrounding area and the orderly urban development in this neighborhood.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

The subject property adjoins Finfeather Road which is classified as minor arterial street on Bryan's Thoroughfare Plan. At this particular location Finfeather Road is expected to be capable of accommodating traffic loads typically associated with small-scale retail developments. Any issues regarding capacity will be addressed at the time of redevelopment.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

The closest vacant land zoned for retail development is located approximately 720 feet south from this site, at the intersection of Turkey Creek and Finfeather Roads. Vacant lots zoned for residential use can be found in the adjoining Oak Glade Subdivision. Staff believes that neither of these two zone change requests, if approved, will make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Staff contends that retail and residential developments are developing at a rapid pace, in this vicinity and elsewhere in the City.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

If both proposed zoning changes were approved, staff believes there to be few (if any) effects on other areas designated for similar developments.

6. Any other factors affecting health, safety, morals, or general welfare.

Staff believes 'C-2' and 'RD-5' zoning at this location will have little (if any) adverse effects on nearby properties.

RECOMMENDATION:

Staff recommends **approving** both requested zone changes.